

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

NICHOLAS SAMPSON,

Plaintiff,

8:07CV155

vs.

INV. EARL SCHENCK, in his official and individual capacities; INV. WILLIAM LAMBERT, in his official and individual capacities; SGT. SANDY WEYERS, in her official and individual capacities; INV. CHARLES O'CALLAGHAN, in his individual and official capacities; DOES 1-8, in their official and individual capacities; CASS COUNTY SHERIFF'S OFFICE, a Nebraska political subdivision; DAVID KOFOED, in his official and individual capacities; and DOUGLAS COUNTY SHERIFF'S OFFICE, a Nebraska political subdivision,

ORDER

Defendants,

MATTHEW LIVERS,

Plaintiff,

8:08CV107

vs.

EARL SCHENCK, Cass County Sheriff's Investigator; WILLIAM LAMBERT, Nebraska State Patrol Investigator; CHARLES O'CALLAGHAN, Nebraska State Patrol Investigator; SANDRA WEYERS, Cass County Sheriff's Sergeant; COUNTY OF CASS, NEBRASKA; DAVID KOFOED, Commander of the Douglas County Sheriff's Office Crime Scene Investigation Division; TIM DUNNING, Sheriff of Douglas County; and COUNTY OF DOUGLAS, Nebraska,

ORDER

Defendants.

This matter is before the court following a telephone status conference with counsel on May 30, 2013. Maren L. Chaloupka represented the plaintiff Nicholas Sampson. Locke E. Bowman and Robert W. Mullin represented the plaintiff Matthew Livers. Kimberly K.

Sturzenegger represented the defendants Cass County, Nebraska, Cass County Sheriff's Office, Earl Schenck, and Sandra Weyers. Katherine J. Spohn and Stephanie A. Caldwell represented defendants William Lambert and Charles O'Callaghan. Diane M. Carlson and Timothy K. Dolan represented Tim Dunning, Douglas County, Nebraska, and Douglas County Sheriff's Office. David Kofoed did not participate in the conference. Following the conference concerning matters of importance in scheduling this case,

IT IS ORDERED:

1. **The Final Pretrial Conference** with the undersigned magistrate judge is set for **September 20, 2013, at 10:00 a.m.** in chambers, Suite 2271, Roman L. Hruska United States Courthouse, 111 South 18th Plaza, Omaha, Nebraska. The final pretrial conference shall be attended by any party proceeding without counsel and lead counsel for represented parties. Counsel shall complete prior to the pretrial conference, all items as directed in NECivR 16.2.³ By the time of the pretrial conference, full preparation for trial shall have been made so that trial may begin immediately thereafter. The pretrial conference will include a **discussion of settlement**, and counsel shall be prepared through investigation, discovery and communication with clients and insurers, if any, to discuss fully the subject of settlement, including realistic expectations about liability, obstacles to agreement, offers made, and offers which can be made at the conference. Counsel shall be prepared to make additional offers or proposals for settlement in behalf of their clients at the pretrial conference, and counsel shall be prepared to make or opine on recommendations for further negotiations and conferences.

2. Trial remains scheduled for **October 21, 2013**, in Omaha, Nebraska, before the Honorable Joseph F. Bataillon and a jury.

Dated this 30th day of May, 2013.

BY THE COURT:

s/ Thomas D. Thalken
United States Magistrate Judge

³ All personal information should be redacted from the public version of the order and/or attachments filed with the clerk. **See** NECivR 5.3.